

Comment on Report of Survey Results:
A Self-Administered Sample Survey of LVL X Customers
at Prince Georges Plaza

July 28, 2003

Submitted by:

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Comment on Survey Results:

**A Self-Administered Sample Survey of LVL X Customers
at Prince Georges Plaza**

I have been retained by the law firm of Christopher M. Johns LLC, to review and comment upon the results of a self-administered sample survey of consumers at the LVL X store at Prince Georges Plaza, in Hyattsville, Maryland.

I have read the report of results and findings from the referenced survey prepared by Dhiren Ghosh, Statistical Consultant.

I found the open-ended question format, in which survey respondents were free to express their views in their own words, to be the most appropriate format for these interviews, because of the absence of any interviewer intervention beyond simply recruiting the survey participants.

Based on the data presented in that report, my conclusion is that, for a substantial majority of these survey respondents, the main reason for entering the store initially, and on subsequent occasions, had to do with the merchandise available in the store, including the aspects of quality, style and price that are typically mentioned in consumer surveys concerning retail establishments. The merchandise as displayed within the store, but visible from outside, and the brightly lit interior of the store also played lesser roles in the process.

I see nothing in this report that would cause me to think that the design of the sales counter exercised even the slightest influence on customers' decisions to make purchases at this store.



Dale K. Brown, President
Decision Data Collection, Inc.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

MICHAEL HACKLEY, et al.

Plaintiffs,

vs.

LVL X, INC., et al.

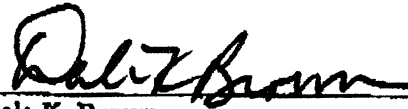
Defendants.

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VERIFICATION

I, Dale K. Brown, hereby declare and affirm under the penalties of perjury and upon personal knowledge that I personally analyzed Dhiren Ghosh's report and all of the matters and data contained therein which I then used to form an expert opinion based on my own assessment within the area of my expertise (see, C.V. attached to report). My expert opinion is set forth in my "Comment on Survey Results."



Dale K. Brown